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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR 05-00325 JW
	)	
12 Plaintiff,	)	
	)	
13 v.	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER TO CONTINUE STATUS DATE</b>
14 ALBERTO CHAVEZ-MESA,	)	
	)	
15 Defendant.	)	
_____	)	

16 Assistant United States Attorney Susan Knight and defendant, Alberto Chavez-Mesa,  
17 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree  
18 that the status date in the above-captioned matter, presently scheduled for Monday, July 25, 2005  
19 at 1:30 p.m., should be continued to Monday, August 22, 2005, at 1:30 p.m. for change of plea  
20 and sentencing.

21 The parties stipulate and agree that the July 25 date should be continued because defense  
22 counsel needs additional time to investigate and to collect background on Mr. Chavez's prior  
23 convictions before this matter can be set for a change of plea hearing. The parties further  
24 stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv), the ends of justice served  
25 by the continuance requested outweigh the best interest of the defendant and public in a speedy  
26 trial because the failure to grant such a continuance would unreasonably deny Mr. Chavez the  
time necessary for effective preparation, taking into account the exercise of due diligence.

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Dated: July 20, 2005

\_\_\_\_\_/s/\_\_\_\_\_  
ANGELA M. HANSEN  
Assistant Federal Public Defender

Dated: July 20, 2005

\_\_\_\_\_/s/\_\_\_\_\_  
SUSAN KNIGHT  
Assistant United States Attorney

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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 05-00325 JW  
12 )  
13 Plaintiff, ) ~~PROPOSED~~ ORDER CONTINUING  
14 ) STATUS DATE AND EXCLUDING  
15 v. ) TIME  
16 )  
17 ALBERTO CHAVEZ-MESA, )  
18 )  
19 Defendant. )  
20 \_\_\_\_\_ )

21 The parties have jointly requested to continue the status date set for July 25, 2005 to  
22 August 22, 2005 at 1:30 p.m. so that defense counsel can have additional time to investigate and  
23 prepare Mr. Chavez's case before he enters his change of plea.

24 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date presently  
25 set for July 25, 2005 be continued to Monday, August 22, 2005, at 1:30 p.m. for change of plea  
26 and sentencing. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period  
of time from July 25, 2005 through and including August 22, 2005, shall be excluded from the  
period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§  
3161(h)(8)(A) and (B)(iv).

Dated: July 21 2005

/s/ James Ware  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 Distribute to:

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